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*Representing the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-000-**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES PARKIN,

Defendant.

CASE NO: 2:15-cr-00212-JCM-NJK

STIPULATION TO CONTINUE  
COMPETENCY HEARING  
(*Second Request*)

It is hereby stipulated and agreed, by and between NICHOLAS A. TRUTANICH, United States Attorney, and Alexandra Michael, Assistant United States Attorney, counsel for the United States of America, and Russ Marsh, Esq., counsel for defendant, that the competency hearing currently scheduled for April 2, 2019 at 10:00 a.m., be vacated and continued until a time convenient to the Court but no sooner than ninety (90) days.

This Stipulation is entered into for the following reasons:

1. The defendant filed a motion for a competency hearing on January 17, 2019, ECF No. 60, and the court set a hearing date for January 28, 2019, ECF No. 62. That hearing was then continued until April 2, 2019, ECF No. The government needs additional time to have the defendant evaluated by a government selected or court-

1 appointed expert prior to the competency hearing.

2 2. The defendant does not oppose this request.

3 3. Subsequent to this stipulation, the parties plan to file a stipulation to  
4 continue calendar and trial which are currently set for May 15, 2019 and May 20, 2019.

5 4. The additional time requested herein is not sought for purposes of delay, but  
6 to allow counsels sufficient time to prepare for the competency hearing.

7 5. Denial of this request for continuance could result in a miscarriage of  
8 justice.

9 6. The additional time requested by this stipulation is excludable in computing  
10 the time within which the trial must start under the Speedy Trial Act, Title 18, United  
11 States Code, Section 3161 et. seq., considering the factors under Title 18, United States  
12 Code, Sections 3161(h)(1)(A), 3161(h)(1)(D), 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

13 7. This is the second request for a continuance.

14  
15 DATED this 29th day of March, 2019.

16  
17 s/ / Alexandra Michael  
18 ALEXANDRA MICHAEL  
Assistant United States Attorney

s/ / Russ Marsh  
RUSS MARSH, Esq  
Counsel for Charles Parkin

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

-000-

3  
4 UNITED STATES OF AMERICA,

5 Plaintiff,

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7 CHARLES PARKIN,

8 Defendant.

CASE NO: 2:15-cr-00212-JCM-NJK

ORDER

9 The ends of justice served by granting said continuance outweigh the best  
10 interest of the public and the defendant, since the failure to grant said continuance would be  
11 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and  
12 the opportunity within which to be able to effectively and thoroughly prepare for the  
competency hearing, taking into account the exercise of due diligence.

13 IT IS THEREFORE ORDERED that the competency hearing in the above-captioned  
14 matter currently scheduled for April 2, 2019 at 10:00 a.m., be vacated and continued to  
15 July 9, 2019, at 10:00 a.m., in Courtroom 3A.

16 DATED: April 1, 2019

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20 HONORABLE NANCY KOPPE  
UNITED STATES MAGISTRATE JUDGE  
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